

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ELINOR GOLDBERG,

Plaintiff,

-v-

1:15-CV-3

WESTCHESTER-ELLENVILLE HOSPITAL,
INC. *doing business as* Ellenville Regional
Hospital,

Defendant.

APPEARANCES:

EISENBERG & BAUM LLP
Attorneys for Plaintiff
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New York, NY 10003

LITCHFIELD CAVO LLP
Attorneys for Defendant
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OF COUNSEL:

ANDREW ROZYNSKI, ESQ.
LEAH WIEDERHORN, ESQ.

KRUPA A. SHAH, ESQ.
EDWARD FOGARTY, JR., ESQ.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff Elinor Goldberg brought suit against defendant Westchester-Ellenville Hospital, Inc. doing business as Ellenville Regional Hospital. In her three count amended complaint, plaintiff alleges defendant discriminated against her on the basis of her disability, in violation of: (1) Title III of the Americans with Disabilities Act; (2) Section 504 of the

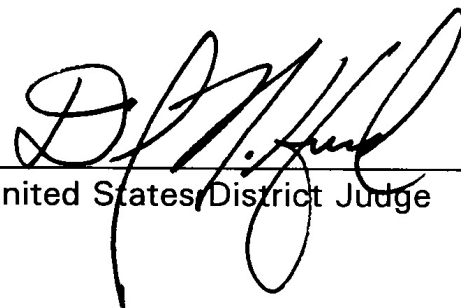
Rehabilitation Act; and (3) the New York State Human Rights Law. Both parties have now moved in limine to preclude the use of certain evidence in the upcoming trial in this matter.

Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on December 21, 2017, in Utica, New York, it is hereby

ORDERED that

1. Plaintiff's motion in limine to preclude evidence of her prior lawsuits and testimony by Nicole Knapp (ECF No. 44) is DENIED;
2. Plaintiff's motion in limine to preclude testimony relating to defendant's corporate representative (ECF No. 61) is DENIED;
3. Defendant's motion in limine to preclude testimony by plaintiff's expert (ECF No. 54) is DENIED;
4. Defendant's motion in limine to preclude evidence of plaintiff's lost wages and medical treatment or records (ECF No. 63) is DENIED as moot; and
5. Trial is scheduled for January 16, 2018, in Utica, New York.

IT IS SO ORDERED.


United States District Judge

Dated: December 21, 2017
Utica, New York.